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In re Application of: **Duane A. Burnett et al.**
For Patent For: **Substituted Azetidinone Compounds, Processes for Preparing
The Same, Formulations and Uses Thereof**
Group Art Unit: 1614
Attorney Docket No.: CV06039US01/ Serial No.: 10/791,979
Filed: 03/03/2004

- Fax Cover Sheet - 1 Page
- Certificate of Transmission PTO/SB/97 - 1 Page
- Supplemental IDS - 2 Pages
- PTO-1449 form - 1 Page in duplicate
- 1 Reference - 5 Pages


Ann Marie Cannoni
Registered Representative
Registration No. 35,972

Attorney Docket No.: CV06039US01

Application No.: 10/791,979

Filing Date: 03/03/2004

First Named Inventor: Duane A. Burnett

PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant(s): **Duane A. Burnett et al.**Application No.: **10/791,979**Filed: **03/03/2004**For: **Substituted Azetidinone Compounds,
Processes for Preparing the Same,
Formulations and Uses Thereof**Group Art Unit: **1614**Examiner: **To Be Assigned**Case No.: **CV06039US01**Date: **September 30, 2004****RECEIVED
CENTRAL FAX CENTER****SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT****SEP 30 2004**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Form PTO-1449 be considered and made of record in the above-identified patent application. Copy(ies) of these documents ☒ are enclosed ☐ were filed in related U.S. Application No(s) _____ filed _____, respectively.

(b) No fee is believed to be due because:

- ☐ This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- ☐ This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- ☒ This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c) ☐ This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in

Application No. 10/791,979
September 30, 2004
Page 2 of 2

§ 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or

☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d) ☐ This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:

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☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and

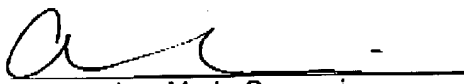
☐ The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365.

Respectfully submitted,

Dated: September 30, 2004
Schering-Plough Corporation
Patent Department, K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, NJ 07033-0530
Facsimile No.: (908) 298-5388

By:


Name: Ann Marie Cannoni
Reg. No.: 35,972
Attorney of Record
Telephone No.: (908) 298-5024

Sheet 1 of 1

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: CV0639US01		APPLICATION NO.: 10/791,979	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				APPLICANT: Duane A. Burnett et al.			
				FILING DATE: 03/03/2004		GROUP: 1614	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
		AL					
		AM					
		AN					
		AO					
		AP					
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AQ	Copy of International Search Report for International Application No. PCT/US2004/006555 (04/08/2004) - 5 Pages					
	AR						
	AS						
	AT						
	AU						
	AV						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							